

<b>DANGEROUS OR UNSIGHTLY PREMISES POLICY</b>	
<b>Effective Date</b> 2019.12.16	<b>Approved by Council</b> Motion # 191216.03

## **1. PURPOSE**

- 1.1 It is the desire of the Council that every property in the Town of Middleton be maintained such that the property is not dangerous or unsightly. This policy describes the delegation of authority and processes to carry out municipal responsibilities for unsightly and dangerous properties as provided in the *Municipal Government Act*.

## **2. AUTHORITY**

- 2.1 Sub-section 3(r) of the *Municipal Government Act* defines “dangerous or unsightly.”
- 2.2 Section 41 of the *Municipal Government Act* provides that the chief administrative officer may designate a county employee to be the administrator responsible for dangerous and unsightly premises provisions of the Act.
- 2.3 Part XV of the *Municipal Government Act* provides authority for:
- 2.1.1 Council to delegate its authority for acting in circumstances of unsightly and dangerous premises, except authority to order demolition;
  - 2.1.2 Orders to be issued to remedy dangerous or unsightly conditions and how they are provided to property owners;
  - 2.1.3 Undertaking the work to remedy conditions if the property owner does not act and to recover the costs;
  - 2.1.4 Fines to be imposed on property owners permitting dangerous or unsightly conditions;
  - 2.1.5 Requiring an unsafe property to be vacated;
  - 2.1.6 Administrator to enter and inspect properties;
  - 2.1.7 Twice yearly reports to council; and
  - 2.1.8 Property owners to appeal an order of the administrator to council.

## **3. DEFINITIONS**

- 3.1 Terms used in this policy shall have the same meaning as in the *Municipal Government Act*, or as their context applies according to a dictionary of the English language.

#### **4. DELEGATION**

- 4.1 Council delegates its authority to act regarding dangerous and unsightly premises to the administrator, except the authority to order demolition.
- 4.2 Council delegates its authority to hear appeals and order demolition of dangerous or unsightly premises to the Committee of the Whole.
- 4.3 When public safety requires immediate action, the administrator may act as necessary to eliminate danger as quickly as possible including removal of a dangerous structure or condition. Such circumstances do not require Council to issue an order for demolition.

#### **5. REPORTS OF DANGEROUS OR UNSIGHTLY PROPERTIES (STEP 1)**

- 5.1 Any resident or ratepayer may report a dangerous or unsightly property. Each report will be recorded on a form for this purpose and followed up with an initial inspection within fourteen (14) days.
- 5.2 Complaints shall be considered confidential but are subject to Part XX of the *Municipal Government Act*, Freedom of Information Protection of Privacy.

#### **6. INVESTIGATIONS AND NOTICES REGARDING DANGEROUS OR UNSIGHTLY PROPERTIES (STEP 2)**

- 6.1 The administrator or investigator shall determine, based upon the site inspection report prepared by an investigator or by personal inspection, whether the property is dangerous or unsightly.
- 6.2 If the administrator determines a property is not dangerous or unsightly, no action will be taken.
- 6.3 If the administrator determines a property is unsafe, the administrator may make an order to have the property vacated.
- 6.4 If the administrator determines a property is dangerous or unsightly, they shall advise the property owner by notice delivered by mail, courier, posting or personal service (or combination). The notice shall state what is required to remedy the unsightly or dangerous condition and require them to contact the administrator or an investigator within thirty (30) days of the date of the notice.

- 6.5 The administrator or an investigator shall advise of the action taken on a complaint to the complainant who reported the dangerous or unsightly condition.
- 6.6 At least quarterly, an information report shall be submitted by the administrator to Committee of the Whole summarizing complaints, actions taken, and status with respect to dangerous or unsightly premises.

## **7. ISSUING ORDERS REGARDING DANGEROUS OR UNSIGHTLY PROPERTIES (STEP 3)**

- 7.1 When the administrator is proposing council issue an order for demolition, at least seven (7) days' notice shall be provided to the property owner specifying the date, time and place of the meeting at which the order will be considered. The property owner(s) shall be given the opportunity to appear and be heard before any order is issued.

## **8. DEMOLITION ORDERS**

- 8.1 In this Policy, "an order to demolish" includes an order to completely remove or demolish a building.
- 8.2 In the event that the Administrator determines that the property is dangerous or unsightly, and is of the opinion that to remedy the condition demolition is necessary, the owner shall be given not less than seven (7) days' notice of the date, time, and place of the Council meeting at which the making of such order will be considered by Council.

## **9. COURT ORDERS**

- 9.1 Notwithstanding any other provisions of this policy, the municipality may apply to a court of competent jurisdiction for a declaration that a property is dangerous or unsightly and / or an order requiring necessary work to remedy the condition.

## **10. CHARGES AND PENALTIES**

- 10.1 When a property owner fails to comply with an order and the administrator determines it is necessary for the municipality to carry out the specified work, the costs (plus interest) shall be recovered from the property owner in the manner provided under the *Municipal Government Act* and as may be amended from time to time (currently section 507).



10.2 When the property owner fails to comply with an order within the specified time, the owner may be charged a penalty pursuant to the powers granted under the *Municipal Government Act* and as may be amended from time to time (currently sub-section 348(4)).

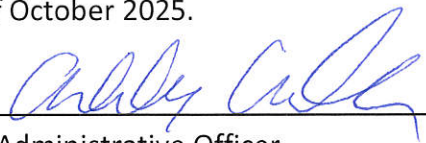
**11. NOTIFICATIONS TO COUNCILLORS**

11.1 The administrator shall notify the councillor of the area by phone or email (as appropriate) prior to issuing a notice or order. A copy of all correspondence shall also be provided to the councillor.

**12. REPEAL**

12.1 The previous policy A 2.4 “Dangerous and Unsightly Premises” dated August 3, 1999 and amended August 8, 2006, is hereby repealed.

I, ASHLEY CROCKER, Chief Administrative Officer of the Town of Middleton, do hereby certify that the Policy, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council of the Town of Middleton held on the 20<sup>th</sup> day of October 2025.

  
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Chief Administrative Officer

Policy Adoption	
Date of 7-day notification to Council	October 6, 2025
Date of Approval	October 20, 2025